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INTELLIGENCE INFORMATION CABLE

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DIRECTORATE OF OPERATIONS

3.5(c)

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REPORT CLASS S E C R E T-WNINTEL-

EXCLUSIVE DISSEMINATION TO ADDRESSES LISTED IN FINAL PARAGRAPH

3.5(c)

DIST: 22 APRIL 1983
COUNTRY: ARGENTINA
SUBJ: GOVERNMENT PLANS FOR HANDLING THE RESPONSIBILITY FOR EXCESSES COMMITTED DURING THE ANTI-SUBVERSIVE CAMPAIGN

3.3(b)(1)

"EXCLUSIVE FOR" DOCUMENT

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SUMMARY: THE CHIEF OF THE FEDERAL POLICE TOLD THAT THE MILITARY JUNTA WILL ISSUE A DOCUMENT IN WHICH THE COMMANDERS IN CHIEF OF THE THREE SERVICES DURING THE "DIRTY WAR" WILL ASSUME RESPONSIBILITY FOR ALL ACTIONS TAKEN BY THEIR SUBORDINATES; THE POLICE CHIEF ADDED THAT ULTIMATE RESPONSIBILITY FOR THE ACTIONS TAKEN WILL BE ASSIGNED TO THE THEN-PRESIDENT, PERONIST ISABEL PERON. HE ADDED, HOWEVER, THAT IT IS UNLIKELY A GENERAL AMNESTY WILL BE ISSUED. THE CHIEF OF POLICE ASSURED THAT THE FEDERAL POLICE, AS AN INSTITUTION, WILL ASSUME THE RESPONSIBILITY FOR ANSWERING CHARGES BEING MADE AGAINST INDIVIDUAL POLICEMEN, AND HE ENCOURAGED TO AVOID UNILATERAL ACTIONS THAT COULD FURTHER COMPLICATE THE MATTER.

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TEXT. 1. ON 21 APRIL 1983, RETURED GENERAL JUAN BAUTISTA ((SASIAIN)), CHIEF OF THE FEDERAL POLICE, DISCUSS THE IMPLICATIONS OF THE CHARGES OF POLICE EXCESSES DURING THE ANTI-SUBVERSIVE CAMPAIGN THAT WERE BEING MADE BY RODOLFO PEREGRINO ((FERNANDEZ)), A FORMER MEMBER OF THE POLICE.

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3.3(b)(1)

SASIAIN SAID THAT THE FEDERAL POLICE, AS AN INSTITUTION, IS ASSUMING THE RESPONSIBILITY FOR DEALING WITH THE CHARGES MADE AGAINST THE POLICE BY FERNANDEZ. SASIAIN ENCOURAGED TO REMAIN CALM AND TO REFRAIN FROM ANY TYPE OF UNILATERAL ACTION THAT COULD ONLY COMPLICATE MATTERS; SPECIFICALLY, HE ASKED TO REFRAIN FROM MAKING PUBLIC STATEMENTS OR COUNTER-CHARGES, TO REFRAIN FROM TAKING THE MATTER INTO LEGAL CHANNELS, AND TO AVOID ANY ATTEMPT TO DEAL WITH THE CHARGES IN AN UNCOORDINATED MATTER.

3.3(b)(1)

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2. SASIAIN SAID THAT THE ARMY AND THE ARMED FORCES IN GENERAL WILL ACCEPT TOTAL RESPONSIBILITY FOR THE ACTIVITIES CARRIED OUT, UNDER THEIR ORDERS, DURING THE ANTI-SUBVERSIVE CAMPAIGN (THE "DIRTY WAR"). HE ADDED THAT THIS WILL INCLUDE ACTIVITIES CARRIED OUT BY THE POLICE, SINCE POLICE ACTIVITIES FALL UNDER THE PURVIEW OF THE ARMY. SASIAIN ADDED THAT THE FEDERAL POLICE IS WORKING CLOSELY WITH ARMY

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AUTHORITIES TO ARRANGE THE DEFENSE FOR POLICEMEN INVOLVED IN THE "DIRTY WAR." SASIAIN STRESSED THAT MEMBERS OF THE FEDERAL POLICE SHOULD NOT WORRY: HIGH-LEVEL OFFICIALS OF THE ARMY AND THE POLICE ARE DEALING THE THE MATTER, AND POLICE PERSONNEL WILL BE KEPT INFORMED OF DEVELOPMENTS.

3. [redacted] 3.3(b)(1)

SASIAIN SAID HE WANTED TO TELL THEM, [redacted] OF THE SPECIFIC ACTIONS THE GOVERNMENT WOULD BE TAKING TO PROTECT THE FEDERAL POLICE AND OTHER INSTITUTIONS THAT PARTICIPATED IN THE "DIRTY WAR." HE SAID THAT PROBABLY DURING THE LAST WEEK IN APRIL, THE MILITARY JUNTA WILL ISSUE THE FIRST OF TWO OR THREE DOCUMENTS RELATING TO THE "DIRTY WAR." THE FIRST DOCUMENT WILL BE HISTORICAL, PROVIDING THE BACKGROUND ON THE SUBVERSIVE ACTIONS THAT WERE TAKING PLACE AND EXPLAINING WHY THE GOVERNMENT BELIEVED DRASTIC STEPS WERE NECESSARY TO RESTORE PUBLIC ORDER. SASIAIN SAID THE PUBLIC REACTION TO THAT FIRST DOCUMENT WILL DETERMINE WHETHER MINOR CHANGES WILL HAVE TO BE MADE IN THE SECOND DOCUMENT. HOWEVER, HE SAID, THE BASIC OBJECTIVE OF THE SECOND DOCUMENT WILL BE TO DEAL WITH THE ORGANIZATIONAL ASPECTS OF THE WAY IN WHICH THE WAR AGAINST SUBVERSION WAS CONDUCTED. THIS DOCUMENT WILL NOT DETAIL SPECIFIC ACTIONS THAT WERE TAKEN BY THE SECURITY SERVICES. HOWEVER, IT WILL MAKE VERY CLEAR THAT ALL THE SECURITY AND INTELLIGENCE GROUPS THAT OPERATED DURING THE "DIRTY WAR" WERE ACTING UNDER THE SPECIFIC ORDERS OF THE COMMANDERS-IN-CHIEF OF THE THREE MILITARY SERVICES; THE THEN-COMMANDERS-IN-CHIEF WILL THEREBY ASSUME ALL RESPONSIBILITY FOR ANY ILLICIT OR ILLEGAL ACTS CARRIED OUT BY ANY OF THEIR SUBORDINATES DURING THE "DIRTY WAR." SASIAIN SAID THIS DECISION ON HOW TO HANDLE RESPONSIBILITY FOR ACTIONS DURING THE "DIRTY WAR" HAD BEEN MADE BY THE CURRENT MILITARY JUNTA; THE DECISION HAS BEEN DISCUSSED WITH LOCAL LEADERS OF THE CATHOLIC CHURCH AND HAS BEEN DISCUSSED WITH MAJOR LEADERS OF VARIOUS POLITICAL PARTIES. SASIAIN SAID THAT THESE POLTICIANS, PRIMARILY PERONISTS, HAVE SAID THEY BELIEVE THAT THIS DOCUMENT WILL BE ADEQUATE FOR LAYING THE REST THE ISSUE OF THE "DIRTY WAR."

4. CONTINUING ON THE THEME OF RESPONSIBILITY, SASIAIN SAID THAT THE FIRST DOCUMENT, PUTTING MATTERS IN THEIR HISTORICAL SETTING, WILL MAKE IT CLEAR THAT THE ARMED FORCES WERE GIVEN RESPONSIBILITY FOR DEALING WITH THE PROBLEM OF SUBVERSION BY THE THEN-CIVILIAN GOVERNMENT, HEADED BY PRESIDENT ISABEL ((PERON)), WHO DIRECTED THE ARMED FORCES TO COMBAT TERRORISM AND SUBVERSION. THUS, HE SAID, THE ULTIMATE RESONSIBILITY WILL BE PLACED WITH THAT PERONIST GOVERNMENT.

5. ACCORDING THE SASIAIN, THE DECISION ON WHETHER THE GOVERNMENT WILL PREPARE AND RELEASE A THIRD DOCUMENT ON THE MATTER WILL DEPEND ON THE PUBLIC REACTION TO THE FIRST TWO DOCUMENTS. ASKED [redacted] 3.3(b)(1) WHETHER THE THIRD DOCUMENT MIGHT INCLUDE A GENERAL AMNESTY FOR ALL PERONS INVOLVED, SASIAIN SAID THAT IT IS HIGHLY UNLIKELY THAT AN AMNESTY WILL BE ISSUED. HE SAID IT IS

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THE GENERAL FEELING THAT THE DECISION OF THE THEN-COMMANDERS IN CHIEF OF THE SERVICES TO ACCEPT RESPONSIBILITY FOR ALL ACTIONS WILL BE SUFFICIENT TO PROTECT ALL THEIR SUBORDINATES WHO WERE ACTING UNDER THEIR ORDERS. HE ADDED THAT THE ARMY STRONGLY SUPPORTS THE ISSUANCE OF AN AMNESTY, THE NAVY IS JUST AS STRONGLY OPPOSED, AND THE AIR FORCE DOES NOT HAVE A CLEARLY DEFINED POSITION.

6. RETURNING TO THE SPECIFIC CASE OF THE FEDERAL POLICE, SASIAIN SAID THAT AN AD HOC COMMISSION IS BEING FORMED WITHIN THE FEDERAL POLICE TO DEAL WITH THE LEGAL RAMIFICATIONS OF THE ACCUSATIONS BEING MADE AGAINST ACTIVE DUTY AND RETIRED POLICE PERSONNEL. TO DATE, HE SAID, THE POLICE HAVE ONLY ISSUED A VERY SHORT PRESS STATEMENT ESSENTIALLY DENYING THE STATEMENTS MADE BY FERNANDEZ.

7. [redacted] POLICE PERSONNEL [redacted] GENERALLY EXPRESSED THEIR SATIFICATION WITH THE STATEMENTS MADE BY SASIAIN. SEVERAL [redacted] ADMITTED THAT THEY HAD BEEN CLOSE TO PANIC AFTER HEARING FERNANDEZ'S CHARGES AGAINST THE POLICE, AND THEY ADMITTED THEY HAD CONSIDERED MAKING PUBLIC STATEMENTS OR GETTING A LAWYER TO PROTECT THEMSELVES. HOWEVER, [redacted] SASIAIN HAD BASICALLY CALMED THEIR CONCERNS BY TELLING THEM THAT THE SENIOR OFFICIALS WOULD ASSUME THE RESPONSIBILITY FOR ALL THE ACTIONS THAT WERE TAKEN DURING THE "DIRTY WAR." [redacted] SENIOR OFFICERS [redacted] SHARED THAT VIEW; THEY ALSO EXPRESSED THE OPINION THAT THE WHOLE MATTER OF RESPONSIBILITY FOR THE "DIRTY WAR" WILL EVENTUALLY DISSIPATE; THEY EXPECT THE NEW CIVILIAN GOVERNMENT WILL BE BASICALLY SATISFIED TO HAVE THE ARMED FORCES, AS AN INSTITUTION, ACCEPT RESPONSIBILITY FOR THE ACTIONS TAKEN. SEVERAL OF THESE SENIOR OFFICERS ALSO NOTED THAT THEY FEEL ESPECIALLY REASSURED BY SASIAIN'S STATEMENT THAT THE DOCUMENTS TO BE RELEASED WILL PLACE ULTIMATE RESPONSIBILITY ON THE FORMER PERONIST GOVERNMENT; THEY NOTED THAT THE NEXT GOVERNMENT, WHICH THEY EXPECT TO ALSO BE PERONIST, WOULD CERTAINLY NOT WANT TO REVIVE AN ISSUE THAT COULD EVENTUALLY DAMAGE THE IMAGE OF ITS OWN PARTY. 3.3(b)(1) 3.3(b)(1) 3.3(b)(1)

8. ([redacted] COMMENT: SASIAIN APPEARS TO HAVE BEEN SUCCESSFUL IN CALMING THE CONCERNS OF [redacted] POLICE OFFICERS BY ASSURING THEM THAT RESPONSIBILITY WILL BE ASSUMED AT THE HIGHEST LEVELS OF THE MILITARY SERVICES AND BY CAUTIONING THEM AGAINST UNILATERAL ACTIONS THAT COULD ONLY SERVE TO FURTHER COMPLICATE MATTERS. THE REAL PROBLEM WITHIN THE POLICE, HOWEVER, RESTS WITH SOME OF THE INDIVIDUALS WHO WERE PERSONALLY INVOLVED IN THE WORST EXCESSES OF THE PERIOD AND WHOSE NAMES HAVE NOT YET BEEN MADE PUBLIC; THEY ARE AFRAID THAT THEIR ROLES WILL BE PUBLICIZED AND THEY ARE STILL DEMANDING ASSURANCES THAT THEY WILL NOT BE PUNISHED FOR THEIR ACTIONS.) 3.3(b)(1)

9. ([redacted] COMMENTS: 3.3(b)(1)

A. ONE SIGNIFICANT DIFFERENCE BETWEEN THIS REPORT AND THE ONE CITED IN PARAGRAPH ONE CONCERNS THE MATTER OF AN AMNESTY. IN THE EARLIER REPORT, GENERAL CRISTINO ((NICOLAIDES)), COMMANDER OF THE ARMY, IS REPORTED TO HAVE SAID THAT A GENERAL AMNESTY WILL BE ISSUED; THIS CONFLICTS WITH THE STATEMENT MADE BY

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SASIANI IN THE CURRENT REPORT. NICOLAIDES' VERSION IS MORE CONSISTENT WITH BOTH MILITARY AND PUBLIC EXPECTATIONS THAT AN AMNESTY IS LIKELY.

B. THIS REPORT IMPLIES THAT THE THREE COMMANDERS-IN-CHIEF OF THE SERVICES DURING THE 1970'S HAVE AGREED TO ASSUME RESPONSIBILITY FOR ACTIONS COMMITTED DURING THE "DIRTY WAR." BUT THAT IS NOT SPECIFIED.

C. RELATED INFORMATION ON THE EFFECT OF THE WHOLE ISSUE OF HUMAN RIGHTS WITHIN THE NAVY WAS

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[redacted]HAT ACCORDING TO A NOTICE DISTRIBUTED TO NAVAL OFFICERS IN MID-APRIL, A LAWYER FROM THE NAVAL LEGAL STAFF WILL BEGIN STANDING WATCH WITH THE NORMAL NAVY WATCH OFFICER, EFFECTIVE IMMEDIATELY; THIS ACTION IS BEING TAKEN BECAUSE OF THE HUGE INCREASE IN HABEAS CORPUS REQUESTS THAT THE NAVY IS NOW RECEIVING. [redacted] IN THE PAST, 3.3(b)(1)
LAWYERS AND PRIVATE CITIZENS WERE AFRAID TO MAKE SUCH REQUESTS OF THE NAVY OR OTHER SERVICES; HOWEVER, WITH THE INCREASING PUBLIC AIRING OF MATTERS CONCERNING HUMAN RIGHTS AND THE "DIRTY WAR," THIS FEAR HAS BEEN REDUCED AND LARGE NUMBERS OF PERSONS ARE NOW FILING HABEAS CORPUS REQUESTS WITH THE NAVY.)

[redacted] 3.3(b)(1)

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WARNING: REPORT CLASS S E C R E T--WARNING NOTICE-INTELLIGENCE SOURCES OR METHODS INVOLVED-[redacted]
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